IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 2ND FEBRUARY 2007 / 13TH MAGHA 1928

Bail Appl..No. 596 of 2007()

CRIME NO.46/07 OF NEYYATTINKARA POLICE STATION.

PETITIONERS/ACCUSED

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1. C.N.PRADEEP, S/O. CHELLAPPAN,
   ANIZHAM, VALIYAPARAMBU, MARAYAMUTTAM,
   TRIVANDRUM.

2. M.MURALI, S/O. MADHAVAN NAIR,
   MADHAVA VILASOM, MARAYAMUTTAM, TRIVANDRUM.

3. S.SREEKUMAR, S/O. SUKUMARAN NAIR,
   SREENIVAS, MARAYAMUTTAM, TRIVANDRUM.

4. R.PRADEEP, S/O. RAJASEKHARAN NAIR,
   PRADEEP BHAVAN, VADAKKEPERUVAM MOOLA,
   MARAYAMUTTAM, TRIVANDRUM.

5. V.VINOD, S/O. VELAYUDHAN NAIR,
   KALINGAVILAKOM, MARAYAMUTTAM, TRIVANDRUM.

6. B.GOPU, S/O. LATE GOPALAKRISHNAN,
   MELETALIYOOR, VADAKKEKARA PUTHEN VEEDU,
   MARAYAMUTA, TRIVANDRUM.

7. V.BINDU KUMAR, S/O. VASUDEVAN NAIR,
   MELEARAKALATHUVILA VEEDU, MARAYAMUTTA,
   TRIVANDRUM.

8. B.MANIKANDAN, S/O. LATE GOPALAKRISHNAN,
   MELETALIYOOR, VADAKKEKARA PUTHREN VEEDU,
   MARAYAMUTTA, TRIVANDRUM.

9. P.AJI, S/O. PARAMESHWARAN NAIR,
   BHASKARAVILASOM, MANNAMTHODU,
   MARAYAMUTTAM, TRIVANDRUM.

BY ADV. SRI.K.P.JAYACHANDRAN
SRI.DILIP MOHAN

RESPONDENTS:
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1. STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. STATION HOUSE OFFICER,
NEYYATTINKARA POLICE STATION, TRIVANDRUM DISTRICT.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 596 OF 2007

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DATED THIS THE 2nd DAY OF FEBRUARY, 2007

O R D E R

Petitioners who are accused Nos.1 to 9 in Crime No.46/07 of Neyyattinkara Police Station for offences punishable under sections 143, 147, 148, 324 and 328 read with section 149 IPC and section 27 of the Arms Act, 1959, seek anticipatory bail

2. The occurrence took place on 21.1.2007 at 6 PM in front of a shop in which the de facto complainant was assaulted with sword, iron rod, etc. First accused was wielding the sword.

3. Learned Public Prosecutor opposed the application.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time I am inclined to permit accused 1 to 9 to surrender before the Investigating Officer for interrogation and then to have their application for bail considered by the Magistrate. Accordingly, petitioners who are accused 1 to 9 are directed to surrender before the Investigating Officer on any day between 7.2.2007 and 9.2.2007 for the purpose of interrogation. Thereafter, the petitioners shall be produced before the Magistrate having jurisdiction on the same day. The Magistrate

shall consider and dispose of the application, if any, filed by the first accused for bail preferably on the same date on which it is filed. In the case of accused 2 to 9, the Magistrate shall release them on bail on appropriate conditions on being satisfied that they have been interrogated by the Investigating Officer.

This application is disposed of as above.

V.RAMKUMAR, JUDGE

dsn